



The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



*Celebrating 25 Years of Protecting
New Hampshire's Environment*

February 1, 2013

The Honorable Sharon Carson, Chairman
Judiciary Committee
State House Room 100
Concord, NH 03301

RE: SB 44 – Relative to the Disposal of Controlled Drugs by Law Enforcement Officers

Dear Chairman Carson:

Thank you for the opportunity to comment on SB 44, an act relative to the disposal of controlled drugs by law enforcement officers. The Department of Environmental Services (DES) supports SB 44.

RSA 318-B:17 currently stipulates that the Department of Justice, Department of Safety, Board of Pharmacy and DES jointly adopt rules relative to the disposal of controlled drugs. To date, the Department of Justice has developed and adopted these rules while coordinating with all of the other agencies listed above because the administrative rulemaking process does not allow for multiple agencies to jointly adopt rules. The Joint Legislative Committee of Administrative Rules (JLCAR) approved the rules in 2012 but directed the agencies involved to seek a legislative amendment to clarify that the Department of Justice has sole authority to adopt the rules after consulting with the other pertinent agencies. The provisions in SB 44 are responsive to JLCAR's request.

Thank you for this opportunity to comment on this bill. Please feel free to call Brandon Kernen of the Water Division at 271-0660 or me at 271-2958, if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack
Commissioner

cc: Senator Boutin, Senator Larsen, Senator Morse, Senator Odell, Senator Rausch, Senator Stiles, Senator Watters, Senator Cataldo, Senator Gilmour, Senator Lasky, Senator Reagan, Senator Soucy, Senator Sanborn, Senator Fuller Clark, Representative Jasper, Representative Walz, Representative Kotowski

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

Telephone: (603) 271-2513 • Fax: (603) 271-5171 • TDD Access: Relay NH 1-800-735-2964